

REMARKS

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1, 2, 4, 6-10, 12-18, 20, 21, 23, 25, 30, 32, 34 and 35 are currently pending.
- Claims 1, 12, 23, and 25 are amended herein.

Support for the amendments to claims 1, 12, 23, and 25 is found in the specification, as originally filed, at least at Fig. 8. The amendments submitted herein do not introduce any new matter.

Allowed Claims

The Office Action indicates that claims 12-18, 20, 21, 30, 32, 34 and 35 are allowable. Applicant would like to thank the Examiner for allowing claims 12-18, 20, 21, 30, 32, 34 and 35. These claims have not been amended herein, and therefore remain in condition for allowance.

Claims 1, 2, 4, 6-10, 23 and 25 Recite Statutory Subject Matter Under § 101

Claims 1, 2, 4, 6-10, 23 and 25 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection.

Nevertheless, for the sole purpose of expediting prosecution Applicant herein amends claims 1, 12, 23, and 25 as shown above. For example each of the aforementioned claims are amended to recite that a list or data structure is “stored in

memory.” The “memory” satisfies the first prong of the Machine and Transformation Test of Bilski, which requires that a process is implemented with a particular machine that is adapted to carry out the process. In re Bilski, 558 F.3d 1359 (Fed. Cir. 2009). In this instance, memory is used to implement the method of extracting data from a data stream. Applicant requests that the Office contact the Applicant to discuss any §101 issues if the amendments above are alleged not to overcome the §101 rejections. Applicant respectfully requests the Office withdraw the §101 rejections for the claims discussed above.

Conclusion

For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

If any issues remain that would prevent allowance of this application, **Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.**

Respectfully Submitted,

Lee & Hayes, PLLC
Representative for Applicant

/Jason D. Mehigan 64,307/

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